

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6565 of 2019**

- Satish Nile, S/o Maruti Nile, Aged About 39 Years, R/o 4/4, Kosa Nagar, Supela, Bhilai, Tahsil And District Durg, (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh, Through: District Magistrate Durg, (C.G.).

---- Respondent

For Applicant	: Mr. Punit Ruparel, Adv.
For Respondent/State	: Mr. Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.12.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 272/2017 registered at Police Station Newai, District Durg (C.G.) for the offence punishable under Sections 420, 406, 120B/ 34 of I.P.C.
2. The prosecution story, in brief is that, the applicant was simply working as an agent/employee of Nandlal and Company Pvt. Ltd. which is based on Bhopal, whose proprietor is Navlesh Choudhari. In fact, it is a case of failed transaction between the company and the complainant, as the complainant and the company both had been party to the agreement, the complainant had option of civil remedy against the company, but instead of that, he has filed this FIR. The applicant is the capacity of an agent/employee of the company, gave inducement to complainant G. Vinod to obtain C & F agency of the company, regarding which Rs. 14,71,000/- were deposited by the complainant with the company, but, subsequent to that the company did not honour the terms of the agreement. Thereafter, offence has been registered against the present

applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the other co-accused has already been granted bail in M.Cr.C. No. 5039/2018 vide order dated 07.08.2018. The applicant is in jail since 16.09.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the other co-accused has already been granted bail in M.Cr.C. No. 5039/2018 vide order dated 07.08.2018. The applicant is in jail since 16.09.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge